Docket No. HRT-0279

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: S. Boyd et al.

MAY 2 7 2004

Serial No.: 09/982,502

Art Unit: 3738

ONFICE OF PETITIONS

Filed

: October 19, 2001

Examiner:

For

: Devices and Methods for Port-Access Multivessel

Coronary ARtery Bypass Surgery

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed Commissioner For Patents, Washington, D.C. 20231 on to:

> May 19, 2004 (Date of Deposit)

Brian S. Tomko (Name of applicant, assignee, or Registered Representative)

May 19, 2004

(Date of Signature)

Commissioner for Patents Washington, D.C. 20231

## INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the aboveidentified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

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information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

In accordance with §1.97(b), since this Information
Disclosure Statement is being filed either within three months
of the filing date of the above-identified national application
(other than a continued prosecution application under
§1.53(d)), within three months of the date of entry into the
national stage of the above identified application as set forth
in §1.491, or before the mailing date of a first Office Action
on the merits of the above-identified application, or before
the mailing date of a first Office Action after the filing of a
request for continued examination under §1.114, no additional
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The second are with \$1 100/a) this Information
In accordance with §1.129(a), this Information
Disclosure Statement is being filed in connection with 🗌 the
first or   second After Final Submission, therefore:
<pre>Statement in Accordance with §1.97(e)</pre>
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In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

Statement in Accordance with §1.97(e) (attached); or  $\boxtimes$ Please charge Deposit Account No. 10-0750/HRT0279/BST the fee of \$180.00 as set forth in §1.17(p). In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p). Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith. Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT: In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith. If any of the foregoing publications are not  $\Box$ available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request. Copies of references listed on the attached Form  $\boxtimes$ PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior application Serial No. 09/487,024, filed 1/19/00, which is a continuation-in-part of application Serial No. 08/281,891, filed 7/28/94, now issued as U.S. Patent No. 5,735,290, which is a continuation-in-part of

application Serial No. 08/023,778, filed
2/22/93, now issued as U.S. Patent No.
5,452,733.

There are no listed references which are not in the English language.

The relevance of those listed references which are not in the English language is as follows:

Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/HRT-0279/BST. This form is submitted in triplicate.

Respectfully submitted,

Brian S. Tomko

Reg. No. 41,349

Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-1239 DATED: May 19, 2004



application Serial No. 08/023,778, filed 2/22/93, now issued as U.S. Patent No. 5,452,733.

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Please charge any deficiency or credit any overpayment to
Deposit Account No. 10-0750/HRT-0279/BST. This form is
submitted in triplicate.
Demost fully submitted

Respectfully submitted,

Brian S. Tomko

Reg. No. 41,349

Attorney for Applicants

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (732) 524-1239 DATED: May 19, 2004 MAY 2 1 2004 ST

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)
Sheet 1 of 1

a collection of information unless it displays a	a valid OMB control number.
Application Number	09/982,502
Filing Date	10/19/2001
First Named Inventor	S. Boyd et al.
Group Art Unit	3738
Examiner Name	D. Isabella
Attorney Docket Number	HRT-279

U.S. PATENT DOCUMENTS U.S. Patent Document Date of Publication Pages, Columns, Lines, Name of Patentee or Applicant Kind Code Examiner Cite of Cited Document where relevant passages of Cited Document Initials or relevant figures appear Number (if known) mm-dd-yyyy No.1 11/27/90 4,972,827 Kishi et al. 5/10/94 5,309,896 Moll et al. RECEIVE MAY | 2 7 2004 OFFICE OF PETITIONS

## **FOREIGN PATENT DOCUMENTS** Foreign Patent Document Date of Publication Pages, Columns, Lines, of Cited Document where relevant Name of Patentee or passages or relevant Cite T<sup>6</sup> Examiner mm-dd-yyyy Applicant of Cited Document figures appear Initials KindCode5 Office<sup>3</sup> Number⁴ No.1

Examiner	Date	
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1 Unique citation designation number. 2 See attached Kinds of U.S. Patent Documents. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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